App. F. IX-4

Previous References

1928.
(January)

File No. 422-28

Serial Nos. 1 - 6

Later References

General and Revenue Secretariat.

Serial Nos. 6

Part B for January/1930

SUBJECT

Appeal petition of Dharmarao Krishnappa re leasing out of the temple inam lands for 10 years on an enhanced rental of Rs 350/-

Na 1311 dated
31, 12, 29

To the Mysore Commissioner

If the petitioner pays a cash nazrana of Rs 2000/- p.a to the temple and the godi and cesses payable to Govt. he may continue as a tenant for

GENERAL AND REVENUE SECRETARIAT.

(Miscellaneous)

NOTES.

File No. 422 / 1928

FILE HEADING.

Lease of the inam lands entered to Sri Kesarsutti Rameswara Devaru temple at Godlamane Village, Tirthahalli Taluk—

Dharmane Krishnappa bin Thimmappiah.

~~No.~~ Petition Dated 27.5.29 Received

Diary No.	Enclos.	Spare Copies.	—	Serial No.
1825				

BRIEF ABSTRACT OF LETTER.

Appeals against the M. O's order directing the leasing out of the apptt. of the temple inam lands for a period of 10 years on an enhanced annual rental of Rs 350/-.

NOTES AND ORDERS.

The petition is duly stamped. An authenticated copy of the M. O's order appealed against, has been produced. The M. O's order appealed against, is dated 9-4-29, while the appeal-petition

Serial No.

Sri Kesarapatti Rameswara Devasthanam temple in the Tirthahalli Taluk is a Inamdari village endowed with 4 S. nos. of Kudlamane with an extent of 19-28 assessed at Rs 74-4-0 except an extent of 36 guntas, all the rest are reported to be wet lands.

The apltts' case is that in the year 1870, 2 persons - Nanjanna and Basavanna - obtained the inam lands on Darkhast on Conditions paying jodi & govt. and jari to the temple as per kabz accounts then current, and a Sanad to that effect was given to them, that till the year 1876-77, they were in the enjoyment of these lands paying a jodi of Rs 74-2-4 to govt and a nusalu of Rs 21-8-10 to the temple, and sold the lands on 14-11-76 and 14-5-1877 to one Lakshminarayana for Rs 480/-, and that the latter sold it to apltts' father Dasappa Thimmiah on 17-5-1891 for Rs 350/-, others Conditions remaining the same - the apltts' father & after him, his son have been enjoying the lands since 1891.

The D.C. Shimoga, before whom the case went up, ordered that

Note—Contn. Sheet

Serial No.

The temple lands may be continued in possession of the appt for a period of 10 years if he agreed to pay one-half of the rental that the lands would otherwise fetch if leased out in auction —

Against this order, he appealed to the M.C. who observed that the appt had converted the lands into a valuable garden at his cost and deserved some consideration, and ordered that the rent be raised to Rs 350/, the period of lease being 10 years as before —

Against the foregoing order, he has appealed to Govt. Complaining that the rent fixed by M.C. is too high, and the period fixed is much too low.

To DR. Calling for the Inam Registers pertaining to the temple lands. to submit for orders

18.9.29

11/10/29

2073

4 1919 To the Collector of Chingleput calling for the original or copy of the Inam Register in which

From, The Inam Supdt, Letter no 105
8th Nov 1929.

Submits a copy of the Inam Register of Kesarpatta Village pertaining to the local temple of Sri Rameswara Devaru.

Asali Chavadi is a Dakhale of Kesarpatta Village,

The Lands were registered as Devadaya for the worship of Sri Rameswara Devaru, and was Confirmed as Inam as a body of Rs 72-4-1, during the Inam Settlement of 1873

The appeal will be posted to the 9th Dec next along with other Cases as ordered, may Notices issue to the apltt. for appearance Submit. for orders in the Said Case

AR
22.11.29.

hjs
29/11

Yes.

AG
29/11/29

Case heard on 9.12.29. Dharmavara Krishnappa bin Muniappiah was present in person and represented Thro. Mr. B. Vasudeva Murthy Adv.

ORDER.

The lands under consideration form the Devadaya inam endowed to the temple of Sri Kesava

Kesaragutti Rameswaradevaru in the village of oodla mane in of Thirthahalli Taluk and and they have so far been held by the Appellants as a tenant on the condition of paying to Government jodi and cesses amounting to Rs 86-10-9 and to the temple a cash Migate of Rs 26-8-0. The Appellant's contention that the rental payable to the temple should not be increased or that he has acquired proprietory right in them lands by adverse possession, is altogether untenable. It is stated that he has expended money and trouble in improving the lands and maintaining them in ~~their present~~ a proper condition. Some consideration might be shown to him on this account. It has also been ascertained by enquiry that the lands yield a handsome income and the Migate payable to the temple is capable of substantial enhancement. If he is prepared to pay to the temple a cash Migate of Rs Two hundred (200/-) per annum and the Jodi and cesses payable to Government, he might be permitted to continue as a tenant for a period of ten years.

no 1317 of 31-12-29.

States that the appellant's contention is untenable and he might be continued as a tenant for a period of ten years on the condition of his paying Rs 200/- to the temple per annum and the Jodi and [illegible]

24 As regards cost & the apltt (vide para 23), a copy of the order may, as in other cases be sent to him if so directed

Submitted
AV Murthy
7-1-30

25 Yes
28
5/1

(D.717)

26 Mr. cost in the appeal may be submitted. Then [illegible]
AV Murthy
[illegible]

27 [illegible]

Mr B. Vasudeva murthy.
Advocate - for apltt Dharmam
Krishnappa

[illegible]

TWO RUPEES

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHA-RAJA OF MYSORE, BANGALORE.

Muzrai Appeal No. of 1928-29.

Dharemane Krishnappa, bin Thammaiah, - Bharatipur village, Thirthahalli Taluq. .. Appellant.

-Vs-

Government of Mysore. .. Respondent.

UNDER SECTION 22 OF THE MUZRAI REGULATION.

The petitioner prays for the revision of the order of the Muzrai Commissioner in Appeal No. 46 of 1928-29 against the order of the Deputy Commissioner, Shimoga Dis on the following among other grounds:-

1. The lands consisting of four - Survey numbers with an extent of 19 acres 23 guntas have been in the possession and enjoyment of the petitioner who has been paying the Jodi payable to Government i.e., Rs. 86-10-9 - including cesses from 1891 and a fixed cash - mayate of Rs. 26-8-0 to the temple of Sri - Kesaragutti Rameshwara Devaru in the village of Oodlamane of Thirthahalli Taluq to which the fixed and specified portion of the income alone appears to have been endowed. The

manner in which the petitioner came by the lands and has improved it is as follows:- In the year 1870 two persons, Thammanna and Bharmanna applied for the Inam lands on Darakhast. The original Survey and settlement had not yet taken place then. The lands applied for were granted to the Darakhastdars on condition of paying Jodi to Government - and Jari to the Temple as per Beriz Account then current and a Saguvali Chit issued to the appellant on 28-5-1870 on the authority of the then Deputy - Commissioner's Order (Vide copy of the Darakhast - File Book of Knowledurga Taluq pertaining to the - year 1870-71 produced by the appellant) Till the year 1876-77 the aforesaid persons were in the enjoyment of the lands, paying to Government a sum of Rs. 74-2-4 towards Jodi, and a sum of - Rs. 21-8-10 to the Temple as Inigate. On 19-11-1876 and on 17-5-1877 both Thammanna and Bharamanna - sold away the inam lands to one Lakshminaranappa for a consideration of Rs. 480/- attaching to the transactions the same conditions in regard to - the payment of Jodi and Jari. Lakshminaranappa, too, sold away his Mulihak in the lands to Daremane Thimmiah on 17-5-1891 the consideration - being Rs. 350/- and the other conditions remaining the same. Since then Thimmiah and after him his son the present appellant have been - cultivating the inam lands under the original - conditions.

2. The petitioner and his father - planted areca gardens in the wet lands and - reared them and have spent over Rs. 20,000/- - for clearing, planting manuring and improvements.

3. Now after the lapse of all these - years the Amildar demanded enhanced rent and in default offered the Saguvali Hak for sale in open auction. The appellant approached the Assistant Commissioner, Thirthahalli Sub-Division and the Deputy Commissioner, Shimoga District, who passed an order wherein he conceded that the petitioner had effected great improvements at the cost of - considerable trouble and expense and directed - that in consideration of the fact that he has - been in possession of the lands for many years and has taken pains in maintaining them in good condition he may be allowed to continue in - possessionthereof for a period of 10 years provided he agrees to pay at least half the mistake that the lands would otherwise fetch if leased out in auction and the question of further extending - the period of the lease may be considered favourably if the lands are found to have been maintained - properly at the end of the 1st lease.

4. Against this Order the petitioner - preferred an appeal to the Muzrai Commissioner in Mysore who has directed that the rent be raised to Rs. 350/- per annum and the lands leased for 10 years.

Grounds

(1) The petitioner submits that the - said order does not take into account the various pleas of law and fact taken up by the petitioner before the Deputy Commissioner and the Muzrai -

Commissioner

Commissioner and does not in law really amount to a considered judgment at all in as much as - no reasons are given for the decision arrived at or disposing off the various claims put forward by the petitioner.

(2) Subsequent to the Deputy Commissioner's Order and in the absence of any stay order from the Muzrai Commissioner the tenancy huk in the lands in question was actually put up for public auction and the highest bid was Rs. 300/- So that even according to the learned Deputy - Commissioner's order Rs. 150/- would have been the annual rental payable by the petitioner - while according to that of the learned Muzrai - Commissioner's the same is Rs. 350/-

(3) That as a matter of fact even - the proposed bid of Rs. 300/- was far in excess of the real rental properly payable and was made merely to spite the petitioner and was not apparently seriously made but prompted by a feeling that as the appeal was pending before the Muzrai commissioner there may be no chance of its being accepted or acted upon. In any event the same is entirely and absolutely due to the planting and improvements effected by the petitioner.

(4) The petitioner submits that the net profits at present would be about Rs. 300/- The appellant has to get something for his - remuneration and as a payment for his trouble and expense and Rs. 100/- per annum would be the

utmost

utmost properly payable by any tenant. This sum is now being paid by the petitioner to Government andthe temple.

(5) The lower Court ought not to have - included Survey No. 8 which is a baragayet and not at all an Inam and does not pertain to the Temple in any manner.

(6) In view of the undisturbed long - possession and enjoyment from 28-5-1870 under - Saguvali chit, subject only to regular payment of Jodi to Government and a fixed and constant mirate to the Temple,the fact that the tenancy huk has - been sold by registered sale deeds to the predecessor in title of the petitioner and to the petitione on 17-5-1891, the absence of any attempt all these long years either to vary the Jodi or disturb the petitioner's possession or question the wholesale planting and improvements of a permanent nature - effected on the lands by the petitioner, it is quit clear tha the petitioner has an indefeasible title to the permanent tenancy huk on a fixed rental as claimed by him. That his possession originated as such or in any event the right to question the same and to disburb his possession as such tenant has lapsed by his long and adverse possession. - That is by such possession adversely to any right of disturbing him which might have been vested - in others,the petitioner's possession as permanent cannot now be questioned under the Muzrai Regulation.

(7) That both in law fact and equity - the petitioner ought not to be disturbed nor the

(8) The rental now fixed by the Muzrai Commissioner is much too high and is even much more than that fixed by the Deputy Commissioner. The 10 years period fixed is much too low and offers no inducements to improve the lands or any adequate compensation for the trouble and expense already incurred.

(9). Wherefore the petitioner prays that the petitioner be confirmed in his possession on the same terms as before.

BANGALORE,
Dated 27th May 1929.

B V Vasudevamurthy
Advocate for Petitioner.

In the Court of the Mysore
in Mysore 46

Appellant.
Bharamane Krishnappa son of
Ramanaiya Bharatipur village Turkahal
Taluk

vs

Respondent. Government of Mysore

Subject. — Appeal (No 46 of 28-29) against
the order of the Deputy Commissioner Shimoga
district directing the appellant to pay a
sum of Rs the amount. Rs. Rs. 2 Rs
received in auction by the Sale of the
Gram lands endowed to Kesavaswami
Ramaswamy Devaru Devarahalli Taluk and
enjoined his enjoyment.

order no RD 263 of 28-29 dated

9-4-29.

The appellant has no objection

em [illegible] gents a
valuable garden at his cost and he
deserves some consideration. The rent
which raised to Rs 350/- per annum
and the lands leased for 10 years, a
proper registered lease deed being taken
from the appellant.

(Signed) P. V. D'Souza
Asst Commissioner

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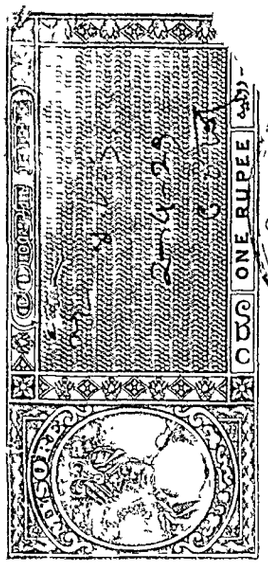
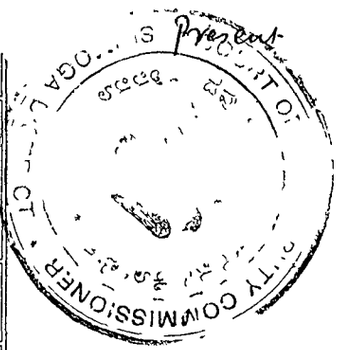
for Asst Registrar

In the Court of the Deputy Commissioner,
Shimoga District.



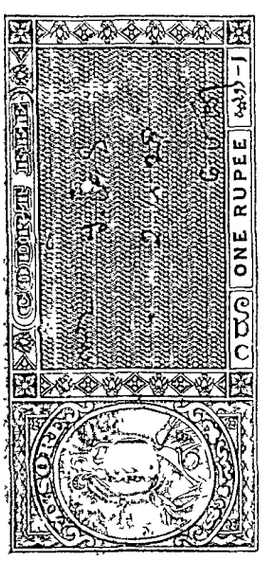


B. T. Kesavaiengar Esq B.A.,
Deputy Commissioner,
Shimoga District.

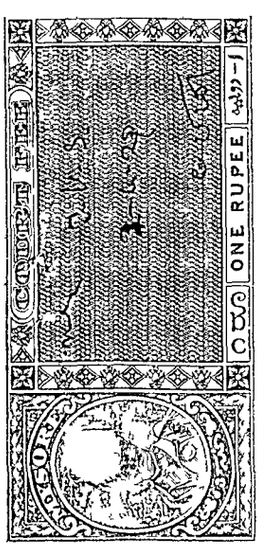
Muzrai Appeal No 2/1926-27

Appellant,
Dharmame Krishnappa
bin Thammaiah,
Bheratipur village
Thirthahalli Taluk.

Respondent.
Government.



This is an appeal preferred by Dharmame Krishnaiah from the order No. Nr 999-1 of 1926-19.27 & 19-11-1927 of the Sub-division Officer Thirthahalli Sub-division directing that the Inam lands in the hands of the appellant, endowed to Sri Kesarapatti Rameswara devaru in the village Oudlamane of Thirthahalli Taluk may be leased out in open auction in accordance with the standing orders.



(1) The temple is a minor muzrai - institution. It is situate at Kesaramputte near Balaipar. The temple is endowed with bane & Survey Nos at Oudlamane with an extent of 19 acres 23 guntas assessed at Rs 74-4-0. Except an extent of 0 acres 36 guntas all the rest are wet lands as per Quit-Rent Register and Village accounts. The Jodi payable to Government is Rupees 72-4-0.

Though the lands are shown as wet in the village accounts the tenants have raised areca garden long back which is stated to

assessed at garden rates in the Resurvey Settlement of 1913-14 at which time the gardens were already yielding fruit.

The appellant is in possession and enjoyment of the whole extent of the above lands since 1891, paying a sum of Rupees 86-10-9 to Government towards jodi and cesses and a cash nigate of Rs 26-8-0 to the temple. The manner in which he came by the lands is as follows:- In the year 1870 two persons, Thammanna and Bheemanna applied for the Inam lands on Darakhast. The original Survey and Settlement had not yet taken place then. The lands applied for were granted to the Darakhastdars on Condition of paying jodi to Government and jari to the temple as per berij account then current and a Laguvali chit issued to the applicants on 28.5.1870 on the authority of the then Deputy Commissioner's order (vide copy of the Darakhast File Book of Kowledurga Taluk pertaining to the year 1870-71 produced by the appellant) Till the year 1876-77 the aforesaid persons were in the enjoyment of the lands paying to Government a sum of Rupees Rs 74-2-4 towards jodi, and a sum of Rs 21-8-10 to the temple as nigate. On 19.11.1876. and on 17-5-1877 both Thammanna and Bheemanna sold away the Inam lands to one Lakshminaranappa for a consideration of Rs 480/- attaching to the transactions the same conditions in regard to the payment of jodi and jari. Lakshminaranappa, too, sold away his rights in the lands to Dasenane Thimmiah on 17.5.1891 the consideration being Rs 350/- and the other conditions remaining the same. Since then Thimmiah and after him his son the present

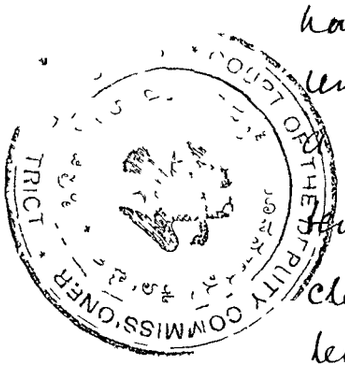
appellant have been cultivating the inam lands under the original conditions. It is stated that the appellant and his father planted areca gardens in the wet lands and reared them at a cost of =Rs 7000/-. In the present conditions of the wet and garden lands, it is ascertained the temple should get 84 marals of Supari and 100 khandies of Paddy, whereas the actual migate paid by the tenant is only Rs 26-8-0. In view of the paltry sum that the institution was deriving from the lands, the Amildar demanded enhanced migate from the appellant. On his declining to pay any enhanced rent the Saguvali hak was advertised for sale in open auction. The appellant approached the Assistant Commissioner Thirthahalli Sub division for setting aside the order of the Amildar. But when notices were issued to appellant for making good his claim to the lands he failed to do so and consequently the Sub-division officer ordered that the right of cultivation of the inam lands may be disposed of in public auction as per rules. The present is against the above order. The grounds of appeal are:-

(1) That he has been in possession of the properties as an owner for over the statutory period of 12 years.

(2) That when he purchased the Muli Hak there was a thick jungle in place of which he has now reared a garden at a cost of of =Rs 20,000/-. He therefore prays that the lands should not be disturbed from his possession.

appellant. His main contention is that he is the Mulagenidar of the lands were obtained for cultivation on Darakhast by his predecessors in title so far back as 1870 and as such his possession and enjoyment cannot be disturbed now nor the rigats enhanced. He has, in support of his contention produced an extract from the Darakhast File Register pertaining to the year 1870. That document merely records the fact that the lands were leased out to two persons by name Thimma and Bharamanna, on condition of paying the kod due to Government and the jari amounting to Rs 21-8-0 to the temple by way of rent. The lands are admittedly 'devadaya' lands and there is a legal presumption against permanent tenancy of any kind in respect of such lands. At the time when the lands were obtained by the above persons, the Chief Commissioner's notification No 266 dated 17.11.1877 had already come into force, wherein every manner of alienation of Devadaya lands was strictly forbidden. Even long leases, not to speak of permanent leases, were considered to be practically temporary alienations. Such being the orders things obtaining even at that time, there is no reason to suppose that the Inam lands in this case were intended to be given away on a permanent lease to the appellant's ancestors. The appellant also claims, alternatively, to be treated as any other occupancy holder of Government land on the ground that he obtained the lands in the Darakhast. It is not a necessary inference that because the petitioner's application

was registered in a Darakhast File Book of the Taluk office and a Saguvali Chit issued — the usual procedure of the Revenue Department in disposing of Government lands the lands under reference should be considered to have been once for all given away to to the applicants as ordinary Darakhast lands. He has been paying rent to the temple and this unquestionably establishes the fact that he is only a tenant. There can be no question of permanent tenancy in respect of Devadaya lands nor is that claim borne out in this case either by any registered lease deed or by any general or special orders of Government. I must therefore hold that the appellant is only a tenant-at-will.



(2) The appellant, while admitting the title of the temple to the lands claims, at the same time, part-ownership over the lands the alleged ground being that he is in possession of the property in dispute for over a statutory period of twelve years. I have already held that the appellant is only a tenant-at-will. In the absence any valid evidence to the contrary, this contention also does not hold good. The appellant has had mere permissive possession of the temple lands. Such possession by a tenant, even though for a long term of years and on payment of a fixed rate of rent, does not, of itself, constitute adverse possession. The temple is the superior holder and the appellant, the inferior holder and the possession by the latter cannot be held to be adverse so as to attract the provisions of Section 10, Proviso 2 of the Religious and Charitable Institutions Regulation.

a supari garden in wet lands and by effecting numerous repairs and improvements thereto. There is no doubt that there is a little exaggeration in this statement. The records show that an extent of about 7 acres of wet land has been converted into garden. The Ariculator states that even on the liberal estimate the said improvements would not have required more than Rs 7000/- In the village accounts the whole extent of the lands has been continued to be shown as 'wet' on account of the fact that during the Resurvey and Settlement, the garden portion was not assessed at garden rates. It is ascertained that at the time of Resurvey in 1913-14, the garden was already yielding fruit. But the question as to why the wet rate were continued in the Revision Settlement is not at issue in this case. The point however, that has to be noted here is the fact that the appellant has been holding the lands on very favourable terms to himself which are quite prejudicial to the interests of the institution. All that he pays annually, including the jodi and cesses, is only Rs 108-2-9. It is reported that if the whole extent of garden and wet lands are leased out in open auction, they would fetch to the institution a migati of 84 mannds of areca and 66 Khandies of Paddy, the total of which at the current market rate, would aggregate to Rs 1,200/- per annum. It is obvious that with the large annual surplus left after paying about Rs 108/- the appellant has paid himself back sufficiently for all the trouble taken by him.

The interests of the temple, on the other hands, have suffered heavily by continuance of the old arrangement up to now.

Thus from all aspects of the case the appellant has no right to retain possession of the inam lands on payment of ~~Rs 26-8-0~~ Rs. a nominal rigata of Rs 26-8-0. However, in consideration of the fact that he has been in possession of the lands for many years and has taken pains in maintaining them in a good condition, he may be allowed to continue in possession thereof for a period of 10 years, provided he agrees to pay at least half the rigata that the lands would otherwise fetch if leased out in auction. The question of further extending the period of the lease may be considered favourably if the lands are found to have been maintained properly at the end of the first lease. If the appellant does not avail himself of the above concessions, the lands may be disposed of as per rules.

(Sd) B. T. Kesavaiengar,
Deputy Commissioner,
Chingleput District.
27/8/1929

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Copy ready on 2.4.1929
Copy delivered on 2.4.1929
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Comparing fee = Rs 0-12-0
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District Sheristedar
Deputy Commissioner's office
Chingleput District

~~In the Court of the~~ Before the Govt of Mysore
His Highness the Maharaja of Mysore, Bangalore

Mysore appeal ~~CIVIL~~ No 01 1928—1929

Appellant, Plaintiff *Respondent, Defendant.*

Dharemane Krishnappa *VS* Govt of Mysore

1 I the appellant abovenamed do by these presents retain MESSRS B VASUDEVAMURTHY, B A, LL B, *Advocate*, to appear in and conduct the above case on my behalf to judgment

2 I further empower him to execute any decree or order that may be passed in my behalf and to receive from Court all documents, refunds and such sums of money as I may be entitled to get and grant receipts therefor

3 I also undertake to confirm and ratify all the legal acts done by him in so doing

BANGALORE
27th May 1929

ಧರೆಮನೆ ಕೃಷ್ಣಪ್ಪ ಸಹಿ ಅಂಚೆಚೀಟಿ ಮೇಲೆ

Accepted
B Vasudeva murthy

Advocate for appellant

Signed before me and personally known to me
B Vasudeva murthy

Advocate

3478 THE BANGALORE PRESS

Appendix F G—1

SUBJECT.....

.....

.....

Diary No. of letter replied to.....1625.....

Section Living

File No. GLL—28

Serial No. 2

No. 2769/24

General and Revenue Secretariat

( )

the 192

To

..... The Dr. C. .....

Date of issue.....19/6/29.....

Signed by Inr. E. H. Ty Iyer.....

Sir

I am directed to forward herewith for reference petition no. 1625 from D. Krishnappa bin Mammaiah, appealing against your order directing the leasing out for a period of 10 years of the inam lands endowed for Kesanjutti Ramemara Devara temple at Godlamane Village in The

over

st of enclosures.....

Copied by.....

Examined by.....

~~Chère Mlle~~

Ewy, 14/6/29

Dr. Seelig

FINANCIAL SECRETARY
3 SEP 1929
No.

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 30th August 1929.

No. 2149 Fin 2 File, 319
28-9

295-1
30.29

FROM

A. K. Syed Taj Peeran, Esq., B.A.,
The Muzrai Commissioner in Mysore.

4 SEP 1929
MUZRAI

To

B. Srinivasa Iyengar, Esq., B.A., P.L., M 395
Secretary to the Government of His
Highness the Maharaja of Mysore, Muz 422-28-3
Financial Department.

SIR,

With reference to your letter No.2769/Muz.422-28-2 dated 15/19th June 1929 forwarding for report with records petition from D. Krishnappa bin Thammiah appealing against this office order directing the leasing out for a period of ten years of the inam lands endowed to Sri Kesaragutti Rameswaradevaru temple at Oodlamane village in the Tirthahalli Taluk, I have the honor to forward herewith the connected records received with the Shimoga Deputy Commissioner's letter No.Muz.T.C.35 of 29-30 dated 23rd August 1929 (copy herein enclosed).

This office file No.D_1 Dis.243 of 28-29 dated 9th April 1929 containing the order appealed against, is also enclosed for reference and kind return.

The appeal petition together with its enclosures received with your letter under reference is also herewith retransmitted.

I have the honor to be,
Sir,
Your most obedient servant,

Ra Narasimha Ayyangar.
for Muzrai Commissioner.

Letter No.Muz.1.C.15/29-30 dated 23rd August 1929 from the Deputy Commissioner, Shimoga District to the Muzrai Commissioner in Mysore.

Appeal by D.Krishnappa Inam lands of Sri Kesaragutti Rameshwara Devaru Tirthahalli Taluk.

--

As desired in your Memo No.2144/28-29 dated 26-6-29 re the above I have the honor to forward herewith a file of records ending with Memo No.N.C.18/29-30 dated 16-8-29 from the Sub Division Officer, Tirthahalli Sub Division.

2. It is seen from the records that at the lowest estimate the -- lands can fetch ~~not~~ less than Rs.500/- per annum and as such, the representation of the appellant that the rate fixed by the Muzrai Commissioner viz., Rs.350/- per annum is high, is quite unreasonable and deserves no consideration.

"C o p y"

For Muzrai Commissioner.

List of enclosures.....

Copied by.....

Examined by.....

1/ Grant of lands in Endlamane and Bharatipura Village for the up-keep Sri Rameshwara Dev.

over

OFFICE OF THE SUPERINTENDENT,
MYSORE REVENUE SURVEY,

FINANCE LIBRARY
9 NOV. 1929
No 5705

Dated, Bangalore,... *192*

GENL. & REV. SECT.
1 NOV 1929
D 772

D. SRINIVASA IYENGAR, ESQ., B.A.,
Superintendent, Revenue Survey and Settlements, Mysore

J. Hemmenway Rao

Register of Inams in the village of

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No. and name of field or fields comprised in the grant. Dry, wet or garden	Extent. Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Measure in acres and their fraction in decimals
1	2	3	4	5
1	Devadaya Sri Kesava Gurra Kanes Varaprasad Warga No 102	Wet No. 1	1-10-0	
		2	1-10-0	
		3	1-0-0	
		4	1-0-0	
		5	1-0-0	
		6	2-0-0	
		7	1-0-0	
		8	0-8-0	
		9	1-10-0	
		10	1-0-0	
		11	1-0-0	
		12	2-0-0	
		13	0-10-0	
		14	0-5-0	
		Mamool Kharab	29-17-0	15-13
			45-10-0	(900) S.M.
		Deduct-	0-14-0	
			44 16-0	26-43

Jammat of in the Taluk of

		DESCRIPTION, TENURE AND	
Old assessment	Survey assessment	Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc., whether they are efficiently kept up Hereditary or for life	Whether free of tax, etc., or liable to quit-rent, i. e., jodi, etc., amount of latter to be entered
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7			
6	7	8	9
		For the worship of Ramaswaradeva at Desaraga. Hy. pagodai said to be in good order & service Continued	Govt. P 19-6-1 or Rs 74-2-4 now paid 72-4-1

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given
10	11

(Schedule)

As per Jaci account of 1802
Kesaragatty Rameswara Devaru
K C P. Irus P & V. R A
Total ottar Wet 87-10-0 Bagayt 53-9-14 204-2-
Particulars as follows

Name of the Village	Regd Sheet No	Case No	Total ottar			Deduct-nas-tah			Remarks			Total
			Description	Extent	Assessment	Description	Extent	Assessment	Description	Extent	Assessment	
A Kesaragatty	118	1	Wet	K C P 45-16	P & V 1297-0	Wet	K C P 12-10-0	P & V 333 11-8	Wet	K C P 33-0-2	95-11-4	74
B Serala	104	445	Wet	12-0-0	23-10-10	Wet	3-6 8	6-4-7	Wet	8 13-8	17-6-3	14-9
C Siriyapathy	100	6	Wet	15-0-0	28 5-10	Wet	15-0-0	28 5-10	Wet	.	.	.
D Karaiyoor	.	.	Wet	6-0-0	11-5-6	Wet	,	3-2-8	Wet	..	8 2-10	6-12
E Neraiyoor			Wet	9-0-0	11-5-6	Wet	.	.	Wet	9-0-0	11-5-6	6-12-
Total			Wet	87-10-0	204-2-8	Wet	.	71-8-9	Wet	..	132-9-11	102-5

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poornah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
	jary account of 1802 Kesaraguttu Rameswara Devaru. Pujari Ram Bhattacottar in this village bel- 45-10-0 = P. 31-8-8 Vartane P. 1-8-12 Vingada 0-5-0 ~~Total~~ P. 34-2-4 Dehul-Nasta P. 8-9-3 Remainder P. 25-3-1 of which pagadi 19-6-1. Jari P. 5-7-0	Jaya/e of 1831 Same Devaru Total Borig in this village P. 34-2-4

Combined Quit-Rent-	Remarks
0 1	W of 9 Same land poogah 1-14 3 deducted
"	W of 9 Sept Cash 2-13-0
1.	W of 9 ~~Land~~ Same Reduced
	Not brought on the register

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner. If the inam has been subdivided, the name, etc., of each sharer should be entered in the columns

Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained. and in what year
15	16	17	18
Kesaragatty.			
Rameswaranadevar			
Manager			
Huchachar			
Worshippers			
1 Sethumadhava Chari			
2 Gurumurthy Venkata Chari			

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation.	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20
Rs 1-14-3 were deducted from the Joog paid upon this Inam under Cowle No 506 of 1843 from the late Vaggar Dt for 14 Koodiwaram land taken up for the public Road: To be Confirmed on a Joog of Rs 72-4-1 subject to the Conditions of the grant- (Sd) Syed Nasarvoien Offg Asst.	As all case. See Schedule. Confirmed. (Sd) R. A Dole 17-1-73

* 1 A Compleen a wura eq um: 1/ aled

2 A is to be Confirmed on a pory of Rs. 72.4-0 — were deducted in 1843 as per order no 506 from the late Nagar Div for land taken up for public road

3. B is to be Confirmed on Cash Rs 2-12-0

4 C is to be resumed, the Jari being nil

5 D and E are not brought on the Register

8.9.74 (Sd) Syed Waasuddeen

1 c. Fasli 94 Dakkalis. J. D. A & B ~~continued~~ cultivated for A. 1 form 3 for B. nastah directed.

2 Land in A as in col 10-11 & 12 is Confirmed on exg. pooch

3. Cash in B. is Confirmed Rs 2-12-0 being net Jari

4 C is resumed ~~Jari by poly~~ and will be fully assessed.

5 D and E are Struck off. being qualifications after ded.

(Sd) J. Pickle
22.1.75

"Copy"

J Kannamuthu Pillai
for Superintendent
Mys. Rev. Survey
11/11.25

Before the Government of His Highness the Maharaja of Mysore.

Inam Appeal No. 15 of 1929-30

Appellant. Vs Respondent -

Dhareswara Krishnappa
bin Thimmappiah.

Subject.

Appeal against the
order directing the
resumption for a period
10 years, of the inam lands
endowed to Sri Kesavaswami
Ramaswamy Devasthanam temple
at Gollarahalli village in
the Tirthahalli Taluk on an
annual rental of Rs. 50/-

The case was heard
on 9th December 1929 the
appellant being present
person and represented
Mr. [illegible]

GPB—1,000—8-8-11

in pages 5 & 6 of the
office note.

Memo

Copy to M.C. with the 1312 Mtg. 422-28 - with reports
reports received with his
letter no. 2144 dt 3.9.28

B.O.
22/9/28
Dft. for Sec'y.

1373 Mtg. 422-28. Dft 3-1-3

Copy to Mr. B. Vasudeva
Murthi, Advocate for the (Vide letter in file ...).
appt. Dharmana Krishnappa
for Nuisance Appeal.

B.O
10/1
Dft. for Sec'y
Ac
9/1/30

Before the Government of His Highness the Maharaja of Mysore.

Muzrai Appeal No. 15 of 1929-30

Appellant.- Dharmane Krishnappa bin Thimmappiah.

S u b j e c t .

Appeals against the Muzrai Commissioner's order directing the leasing out for a period of ten years of the Inam lands endowed to Sri Kesargutti Rameswaradevaru temple at Godlumane village in the Thirthahalli Taluk on an annual rental of Rs. 350/-

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The case was heard on 9th December 1929, the appellant being present in person and represented through Mr. B. Vasudeva Murthi, Advocate

O R D E R .

The lands under consideration form the Devadaya Inam endowed to the temple of Sri Kesargutti Rameswaradevaru in the village of Godlamane of Thirthahalli Taluk and they have so far been held by the Appellant as a tenant on the condition of paying to Government Jodi and cesses amounting to Rs. 86-10-9 and to the temple a cash Migate of Rs. 26-8-0. The Appellant's contention that the rental payable to the temple should not be increased or that he has acquired proprietory right in the lands by adverse possession, is altogether untenable. It is stated that he has expended money and trouble in improving the land and maintaining them in a proper condition. Some consideration might be shown to him on this account. It has also been ascertained by enquiry that the lands yield a handsome income and the Migate payable to the temple is capable of substantial enhancement. If he is prepared to pay to the temple a cash Migate of Rs. 200/- (Two hundred) per annum and the Jodi and cesses payable to Government, he might be permitted to continue as a tenant for a period of ten years.

Memo No. 1317 dated, Bangalore, the 27th December 1929.

Copy

Copy of the above is forwarded with compliments to the Huzrat Commissioner in Mysore, with the records received with his letter No. 2144 dated the 3rd September 1929.

By order,

Secretary to Government,
Financial Department.